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STEVEN J. FINEMAN

April 14, 2007

BY ELECTRONIC FILING

The Honorable Gregory M. Sleet
United States District Court
District of Delaware
844 King Street
J. Caleb Boggs Federal Building
Lockbox 19
Wilmington, DE 19801

**Re: Estate of Harry Smith, III, et al. v. John Ciritella, et al.,
C.A. No. 04-1254-GMS**

Dear Judge Sleet:

I write on behalf of all parties in the above-referenced action. The current version of the parties' Proposed Jury Instructions reflects certain disagreements, however, the parties are presently working together in an effort to reach mutually agreeable language and are making substantial progress. The parties respectfully request leave to file the proposed instructions at 3:30 this afternoon.

Respectfully submitted,



Steven J. Fineman (#4025)

SJF/afg

Enclosure

cc: Anne T. Sulton, Esquire (By Hand Delivery)